

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA :  
: CR No. 07-100S  
v. :  
: ADOLFO VERDUGO :  
:

**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant Adolfo Verdugo's Motion to Proceed *In Forma Pauperis* and Appoint Appellate Counsel. (Document No. 167). The Motion has been referred to me for determination. 28 U.S.C. § 636(b)(1)(A); LR Cv 72(a). Defendant seeks leave to appeal *in forma pauperis*, and Defendant's counsel requests that appellate counsel be appointed. Pursuant to Fed. R. App. P. 24(a)(1), a party seeking to appeal *in forma pauperis* must first seek leave from the District Court. Defendant has submitted a completed Net Worth Statement signed under penalty of perjury. Based on this information, Defendant's Motion to Proceed *In Forma Pauperis* is GRANTED. Defendant's request for appointed counsel, made by his current attorneys, is not properly before this Court pursuant to First Circuit Local Rules 46.5 and 46.6. Accordingly, it is DENIED.

SO ORDERED

PER ORDER:

/s/ Jeannine Noel  
Deputy Clerk

ENTER:

/s/ Lincoln D. Almond  
Lincoln D. Almond  
United States Magistrate Judge  
October 17, 2008